PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of

Takao TOI

Appln. No.: 09/505,429

Confirmation No.: 7134

Filed: February 16, 2000

For: IMAGE PROCESSING SYSTEM

Docket No: Q57908

Group Art Unit: 2623

Examiner: Colin M. LAROSE

REPLY BRIEF PURSUANT TO 37 C.F.R. §41.41

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. § 41.41, Appellant respectfully submits this Reply Brief in response to the Examiner's Answer dated March 18, 2005. Entry of this Reply Brief is respectfully requested.

ARGUMENT

A. Grouping of Claims

The Examiner asserts that the rejection of claims 1-22 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. The Examiner refers to 37 C.F.R. § 1.192(c)(7) for support. However, the appellate rules changed as of September 13, 2004 and a statement regarding grouping is no longer required. See 37 C.F.R. § 41.37. Appellant has fully complied with 37 C.F.R. § 41.37 and has provided separate arguments for claims 1-20 (as a group), 21 and 22.

B. Response Regarding Claims 1-20

1. Kolchinsky Does Not Disclose the Claimed Digital Control Processing

The Examiner asserts zooming and panning are well-known terms of art that refer to operations for controlling the position of a camera lens and camera head. However, the Examiner provides no support for that assertion. Appellants do not disagree that panning and zooming can refer to controlling the position of a camera and camera head. However, that is not the only meaning of those terms. For example, zooming can refer to the process of enlarging the size of an image on a computer (e.g., the zoom feature in Adobe Acrobat Reader or Mapquest). Neither of those two examples involves controlling a camera. Likewise, the zooming and panning in Kolchinsky involves the manipulation of an image and not the control of a camera.

The Examiner also "presumes" that the "image acquisition" function in Kolchinsky figure 4 refers to an operation for controlling the acquisition of an image, such as turning a

camera on and off. This is pure speculation. A more reasonable reading of Kolchinsky is that the image is acquired from the image data bank 24 (see figure 2) that is in the reconfigurable sequential processor 12. There is no disclosure or suggestion in Kolchinsky of controlling any external hardware such as a camera.

2. Kolchinsky Does Not Suggest Combining a Digital Image Processor with a Digital Control Processor

As mentioned in Appellant's opening brief, the Examiner concedes that Baxter et al. fails to disclose an FPGA for executing the image and control processing wherein the first and second internal logic descriptions, corresponding to each type of processing, are written to the FPGA. See also Examiner's Answer at page 4. To make up for this deficiency, the Examiner cites to Kolchinsky and argues that "Kolchinsky is describing the exact situation found in Baxter wherein separate processors perform separate operations relating to video data, and each processor is only being utilized part of the time - either during the active interval or the non-active interval." The Examiner cites to col. 1, lines 17-29 for support.

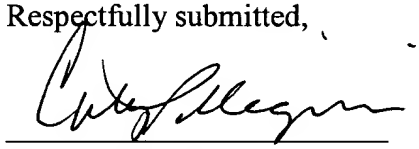
Appellant disagrees that Kolchinsky describes the situation in Baxter because Kolchinsky fails to disclose digital control processing for the reasons described above. Kolchinsky discloses merging multiple digital image processors, but it does not disclose merging digital control processors with digital image processors. As mentioned in Appellant's opening brief, the digital camera processor 66 must execute processes faster, and CPU 70, which is a general purpose processor, is not suitable for controlling the camera. Therefore, in order to combine processor 66 and CPU 70, it would be necessary to use a wired logic processing device, such as an ASIC, instead of a general purpose CPU. Because the processing requirements for image processing

and control processing are different, Kolchinsky would not suggest to one skilled in the art to combine processors 66 and 70 into one FPGA.

CONCLUSION

For the above reasons as well as the reasons set forth in Appeal Brief, Appellant respectfully requests that the Board reverse the Examiner's rejections of all claims on Appeal. An early and favorable decision on the merits of this Appeal is respectfully requested.

Respectfully submitted,



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